

TENNESSEE GENERAL ASSEMBLY
FISCAL REVIEW COMMITTEE



FISCAL NOTE

HB 160 - SB 483

March 2, 2015

SUMMARY OF BILL: Requires the Attorney General to commence a civil suit on behalf of the State if the General Assembly adopts a joint resolution directing the Attorney General to initiate such a suit.

Requires the Attorney General to dismiss or otherwise withdraw from a suit if directed to by joint resolution of the General Assembly.

Permits the General Assembly to retain outside counsel to initiate a civil suit on behalf of the State.

ESTIMATED FISCAL IMPACT:

Other Fiscal Impact – If, in the future, under the provisions of this bill, the Attorney General is compelled to either initiate additional civil suits or terminate the state’s involvement in civil suits in a manner different than would have otherwise occurred then a fiscal impact will be incurred. The circumstances under which this scenario may arise are not knowable; and therefore, neither the magnitude nor direction (i.e. positive or negative) of the fiscal impact of this bill can reasonably be determined.

If the General Assembly acts to retain an outside counsel, as provided for in this bill, then there will be an additional expenditure likely to exceed \$10,000 for each case.

Assumptions:

- Provisions in this bill establish the possibility that, in the future, an Attorney General could be compelled to act on a civil suit in a manner different than would have otherwise occurred. Under such circumstances, a fiscal impact is incurred.
- The number and complexity of lawsuits the Attorney General might be compelled initiate, dismiss, or withdraw from at the direction of the General Assembly is unknowable.
- Consequently, any fiscal impacts associated with potential compelled action or inaction, in the future, are not quantifiable in aggregate.
- This bill also authorizes the General Assembly to retain outside counsel when it invokes other provisions of the bill compelling an action by the Attorney General. Any

outside counsel retained by the General Assembly pursuant to this proposed legislation is estimated to charge at least \$10,000 per case for legal fees and expenses.

CERTIFICATION:

The information contained herein is true and correct to the best of my knowledge.

A handwritten signature in dark ink, reading "Jeffrey L. Spalding". The signature is written in a cursive, flowing style.

Jeffrey L. Spalding, Executive Director

/trm